

REMARKS

The examiner requested a restriction between group I (claims 1 – 10) and group II (claims 11 – 20). There are only 16 claims pending in the application. It is my belief that the examiner meant to divide the claims into group I (claims 1 – 8) and group II (claims 9 – 16). Applicant will provisionally select group II (claims 9 – 16). Applicant respectfully request that the restriction requirement be reconsidered and withdrawn.

The examiner stated in the restriction requirement that the method claims of group I could be practiced by hand. The examiner has mischaracterized the claims. Claim 1 is a method of billing where the steps of the method occur “in a billing system for a communication network”. A communication network is well known in the arts and typically comprises computers, software, switches, optical links, wire and wireless links, and handheld devices. A well known communication network is the telephone network. Billing systems for communication networks are also well known in the arts. A typical billing system for a communication network is described in US patents 5,793,553 and 6,052,447. In addition another document that describes a billing system was filed in an IDS to the parent for the current application. The document filed in the IDS was entitled “U.S. Sprint Technical Report, produced by Technical Communications & References, US Sprint Communications Company Limited Partnership (June 1990)”. The billing system of claim 1 is a practical application of an idea, implemented in a billing system for a communication network. The claim requires the method to be performed “in a billing system for a communication network” and can not be practiced by hand. Therefore the restriction requirement is improper and should be withdrawn.

Conclusion

Based on the above remarks, the Applicants submit the restriction requirement is improper and should be withdrawn.

Respectfully submitted,

Date: 11/1/05



SIGNATURE OF PRACTITIONER

Steven L. Webb, Reg. No. 44,395
Duft Setter Ollila & Bornsen LLC
Telephone: (303) 938-9999 ext. 22
Facsimile: (303) 938-9995

Correspondence address:

CUSTOMER NO. 28004

Attn: Harley R. Ball
6391 Sprint Parkway
Mailstop: KSOPHT0101-Z2100
Overland Park, KS 66251-2100